

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 09-00085-01-CR-W-GAF</b>
	)	
<b>ROBERTO ESPERICUETA,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Now pending before the Court is Defendant's Motion to Suppress (Doc. #36). On September 30, 2009, United States Magistrate Judge John T. Maughmer conducted an evidentiary hearing. On November 19, 2009, United States Magistrate Judge John T. Maughmer issued his Report and Recommendation (Doc. #54).

Upon careful and independent review of the pending motion, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge John T. Maughmer.

Accordingly, it is hereby ORDERED that Defendant's Motion to Suppress Evidence (Doc. #36) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner  
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Gary A. Fenner, Judge  
United States District Court

DATED: December 7, 2009